

EXECUTIVE SUMMARY

February 1, 2023

Lawyer Well-Being in Massachusetts

Presented by:

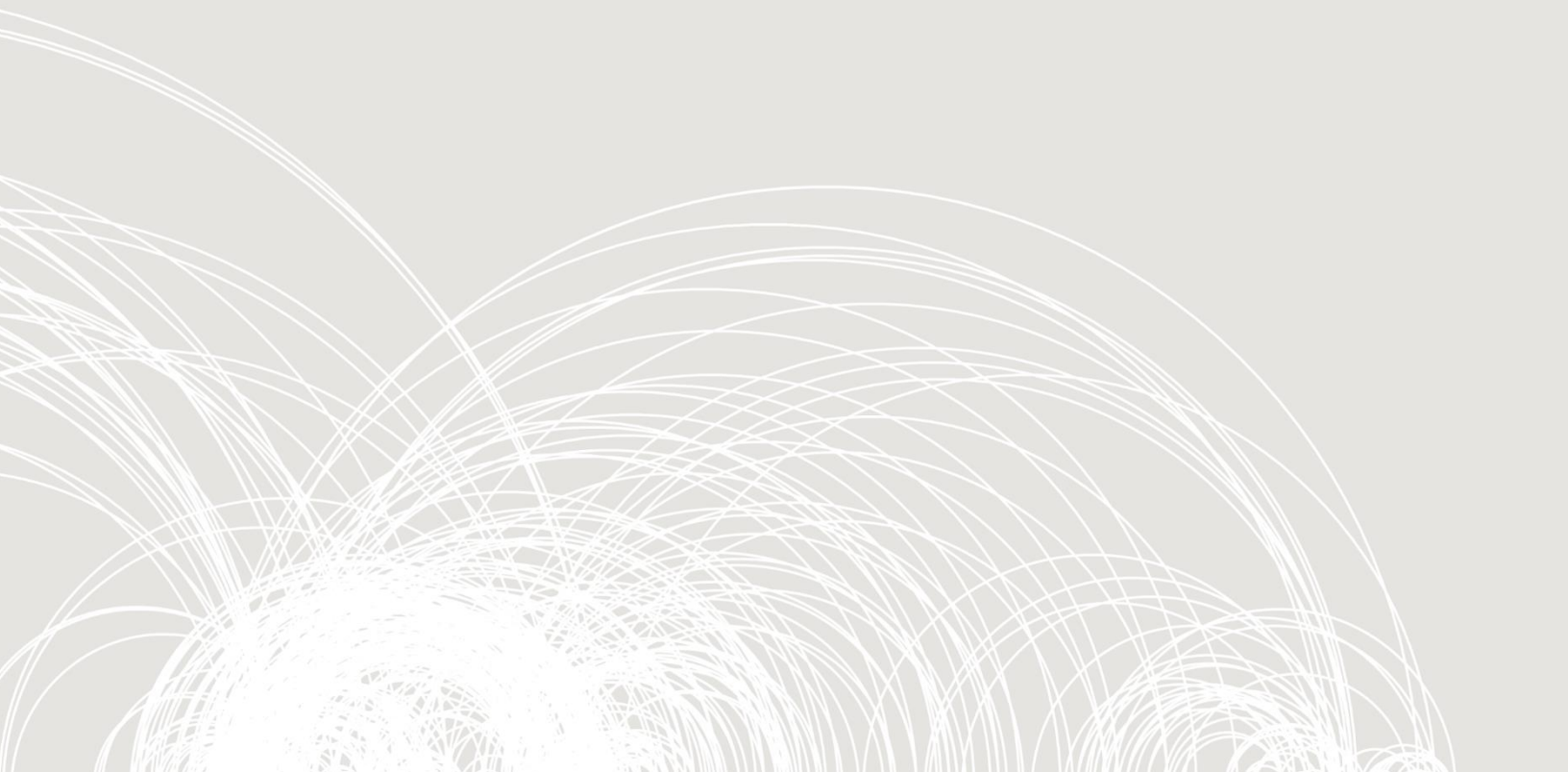
Jenna Sirkin, PhD

Jared Sawyer, MPH

Samantha Augenbraun, MPH

Rebecca Rasky

Maysoun Freij, PhD



Contributors

NORC at the University of Chicago (NORC) would like to acknowledge the review and contributions from Lawyers Concerned for Lawyers, Massachusetts, including Stacey Best and Tracy Ottina, and the Massachusetts Supreme Judicial Court Standing Committee on Lawyer Well-Being, including Heidi Alexander, Gavin Alexander, Mary Strother, Denise Murphy, and the Hon. Margot Botsford. We would also like to thank Tracy McPherson for her review and consultation, Alwyn Cassil and Leslie O’Flahavan for their editorial review, and Erika Archie for quality assurance of our analytic code. Julia Batishev conducted the data weighting, and Michael Yang provided guidance on the analytic approach.

Executive Summary

Recent studies have highlighted burnout, anxiety, depression, and hazardous or unhealthy alcohol use among lawyers. In response, the Massachusetts Supreme Judicial Court (SJC) established a permanent Standing Committee on Lawyer Well-Being (Standing Committee) to assess the state of well-being among Massachusetts lawyers, recommend how to improve lawyer well-being, and monitor progress.

NORC at the University of Chicago (NORC) worked with Lawyers Concerned for Lawyers, Massachusetts (LCL), a nonprofit lawyer assistance program, with input from the Standing Committee to examine lawyer well-being in Massachusetts and variation by demographics, employment characteristics, and workplace environmental factors. The study also sought to understand barriers to accessing mental health and substance use care and offer recommendations for policies and programs to improve lawyer well-being. The NORC study team conducted a literature review, convened two focus groups, and fielded a survey to all lawyers registered in Massachusetts.

Key Findings

Well-being measures: Satisfaction with life, burnout, depression, and anxiety

- A majority of Massachusetts lawyers (77%) reported burnout from their work. Almost half considered leaving or have left their legal employer or the legal profession due to burnout or stress in the last three years.
- Massachusetts lawyers reported high rates of anxiety (26%); depression (21%); suicidal ideation (7%); and hazardous or unhealthy alcohol use (42%).
- A majority of Massachusetts lawyers (66%) reported overall satisfaction with their lives.
- Massachusetts lawyers self-reporting better overall health, diet, or more physical activity had lower rates of burnout, anxiety, depression and greater satisfaction with life.
- Lawyers from some groups that have been marginalized reported higher burnout, anxiety, and depression and lower satisfaction with life. This includes lawyers who identify as female; Black/African American; Hispanic/ Latino/a/e; having a disability; or non-heterosexual.

Well-being measure: Hazardous or unhealthy alcohol use

- Hazardous or unhealthy alcohol use was more common among lawyers who identify as White, do not have a disability, are earning more than \$150,000 annually, or are younger, aged 24-44 compared to 45-64. Moreover, such use was more common among lawyers who identify as female than lawyers who identify as male—the reverse of the trend commonly found among the general population.

Supportive work environment

- A supportive work environment may be critical to well-being. Having a supportive work environment was associated with lower rates of burnout, anxiety, and depression and greater satisfaction with life.

Bias, harassment, discrimination, and vicarious trauma

- Experiences of bias, harassment, and/or discrimination and experiences of vicarious trauma have negative impacts on well-being. Lawyers with these experiences reported higher burnout, anxiety, and depression. Lawyers from some marginalized groups and those working in the public sector were more likely to have experienced bias, harassment, and/or discrimination and vicarious trauma.
- When asked about where they had experienced bias, harassment, and/or discrimination, over one-third of lawyers reported that such treatment came from attorneys representing other parties or from their current places of employment.

Access to mental health and substance use care

- Half of lawyers who screened for anxiety, depression, or suicidal ideation did not seek mental health care. Almost all of the lawyers who reported hazardous or unhealthy alcohol use did not seek care.
- Stigma, time constraints, and punitive concerns prevent lawyers from seeking mental health care.

The survey revealed the prevalence of Massachusetts lawyers who experience burnout, anxiety, depression, and hazardous or unhealthy alcohol use. We also identified an alarming gap between lawyers who reported anxiety, depression, suicidal ideation, and hazardous or unhealthy alcohol use and those who sought care. The largest perceived barriers preventing lawyers from seeking care include concerns about stigma, including loss of dignity, embarrassment, injury to pride, not acknowledging their own need for care, or family, friends, or colleagues finding out.

To affirmatively pursue well-being strategies and encourage lawyers to engage in mental health and substance use care requires an approach that works at the individual, interpersonal, organizational, and societal levels. Those who have supportive work environments benefited from protective factors, such as being treated with kindness and respect by colleagues, positive supervisor relationships, supportive colleagues, schedule flexibility, time to recharge, access to mentorship, and opportunities for promotion. Encouraging healthier work environments may reduce stigma and normalize care-seeking behaviors but will require leadership and commitment from legal employers as well as courts, bar associations, regulators, and support service organizations.

A comprehensive approach will facilitate more sustainable change, helping to normalize self-care, reduce stigma, and create a more inclusive space in the legal profession. Currently, LCL and the Standing Committee are collaborating to lead improvements in strategy, program implementation, and efficiency of well-being efforts for lawyers in Massachusetts.